



**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No.: 10/655,364  
Filing Date: September 4, 2003  
Applicant: B. Musicki  
Group Art Unit: 1624  
Examiner: B. Coleman  
Title: NOVEL HETEROCYCLIC COMPOUNDS,  
PREPARATION PROCESS AND INTERMEDIATES,  
IN PARTICULAR AS  $\beta$ -LACTAMASE INHIBITORS  
AND ANTIBACTERIALS  
Attorney Docket: 8674-000031

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Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**ELECTION AND PRELIMINARY AMENDMENT**

Sir:

In response to the restriction dated August 31, 2005, Applicant's representative hereby provisionally elects alleged Group I, Claims 1-16, 22 and 23, and the alleged species of Example 11 (inside Group I), with traverse. The Examiner's restriction regarding the alleged species was unclear. Thus, if the present election is unsatisfactory then further clarification from the Examiner is requested.

Furthermore, at least Claims 1, 3-5, 7-16, 22 and 23 are all generic to both Groups I and II, as admitted by the Examiner, so it is requested that these two groups be combined. Therefore, reconsideration is respectfully requested.